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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/746,936 | 12/22/2000 | Gopal Parupudi | | 2341 |

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| EXAMINER |
|---|
| MANIWANG, JOSEPH R |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2144 | |

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/746,936 | PARUPUDI ET AL. |
| | Examiner | Art Unit | |
| | Joseph R Maniwang | 2144 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>24 September 2004</u>.

2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1,2,4-20,22-33,35-41,43-48,50-58,60-67,69-74 and 76-97* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 4-20, 22-33, 35-41, 43-48, 50-58, 60-67, 69-74, and 76-97* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

         application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>see Office Action</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

## DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can
be found in a prior Office action.

### *Information Disclosure Statement*

The information disclosure statements (IDS) submitted on 09/07/04, 07/19/04,
and 05/21/04 were in compliance with the provisions of 37 CFR 1.97. Accordingly, the
information disclosure statements were considered by the Examiner.

### *Claim Rejections - 35 USC § 103*

Claims 1, 2, 4-20, 22-33, 35-41, 43-48, 50-58, 60-67, 69-74, and 76-97 are
rejected under 35 U.S.C. 103(a) as being unpatentable over Olarig et al. (U.S. Pat. No.
6,125,446), hereinafter referred to as Olarig, and further in view of Lampert et al. (U.S.
Pat. No. 5,953,722), hereinafter referred to as Lampert.

Olarig disclosed a method and system for enforcing policies on a device
comprising receiving context information of the device (including GPS location data),
determining a current context from the context information, evaluating associated
policies, and enforcing them on the device as claimed (see column 2, lines 28-43;
column 4, lines 10-17; column 5, lines 16-28, 57-62). The device contained processors,
memory, and applications as claimed (see column 2, lines 28-34; column 4, line 46
through column 5, line 15). Context information was received from externally of the

device from a GPS system, and evaluated locally by the device software encryption application (see column 2, lines 28-43). Such context information could be received wirelessly (see column 5, lines 16-28). The system was capable of continuous context monitoring and automatically determining a new context when the current context had changed, where the new context would be evaluated and new policies would be enforced accordingly (see column 3, line 67 through column 4, line 9). Olarig disclosed the ability to receive different types of context information from multiple different context providers (see column 6, lines 14-17). Examiner asserts that Olarig implicitly disclosed a device configured to receive policies from different sources as claimed. The device disclosed by Olarig enforced country-specific policies/laws (see column 6, lines 25-34). Olarig recognized that such laws had an effect on the implementation of the invention (see column 7, lines 8-10). Furthermore, Olarig disclosed the use of additional software to address accuracy limitations of GPS when country borders were in question (see column 7, lines 11-20). For a device to successfully enforce such varied country-specific laws would necessitate the support of all laws by the device. The ability to receive different policies from different sources then was inherent in the invention of Olarig, as it would have been a necessary limitation in order to accommodate the wide range of country-specific policies/laws for enforcement. Olarig disclosed using the system in context of an enterprise, enforcing policies defined by the enterprise (see column 2, lines 54-57). Olarig disclosed the use of a portable device (see column 4, lines 46-47). A handheld device as claimed is implicit in the disclosure of a portable device. Olarig disclosed the use of a wireless device (see column 5, lines 16-28, 29-

41). Examiner asserts that Olarig implicitly disclosed evaluating policies remote from the computing device as claimed, stating the possibility of using different multiprocessor architectures spanning multiple computing devices. For example, Olarig disclosed using a separate dedicated processor and location processor, one that enabled/disabled application features and the other for determining context information (see column 6, line 60 through column 7, line 20).

While Olarig disclosed the use of GPS for determining the current context of a device, Olarig did not disclose determining the current context using one or more hierarchical traversable tree structures comprised of individual nodes associated with a context, the current context determined by traversing at least one node of the tree structure, wherein individual nodes comprised an entity identification.

In a related art of computer-based geographic systems, Lampert disclosed a method and system for making and using a geographic database. Lampert disclosed maintaining a database representing a geographic region for use with a navigation application program (see column 2, lines 45-47). The database included a plurality of entities, which represented a physical feature in the geographic region. Each entity further contained features or attributes in the area. Lampert disclosed the use of entity IDs associated with each of the data entities (see column 2, lines 43-61; column 4, lines 25-43). The entity IDs assigned to each entity were unique (see column 20, line 63 through column 21, line 10). Lampert further disclosed maintaining the database entities as a traversable tree structure whose individual nodes represented divisions of the geographic region.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Olarig and Lampert to provide a system configured to receive current context information externally of a device, determine the current context from the context information, evaluate a collection of policies in connection with the current context to provide a resultant set of policies, and enforce the resultant set of policies on an application on the device, the current context determined by traversing tree structures comprised of individual nodes associated with a context and an entity ID as claimed. The invention of Olarig generally related to the use of navigation applications for enforcing security features on a device. The teachings of Lampert suggested the use of tree structures and entity IDs for use in navigation applications. As the particular features of the geographic database disclosed by Lampert were for use with a navigation application program, one of ordinary skill in the art would have been motivated to consider the use of tree structures and entity IDs in the invention of Olarig as they provided efficient and quick operation of navigation systems. An ordinary artisan also would have been motivated to consider incorporating such features as Lampert disclosed them to be advantageous in systems with limited memory resources (see column 1, line 65 through column 2, line 26). This would have proved beneficial in the invention of Olarig that made use of a portable computer, which an ordinary artisan would have recognized as having limited memory resources (see column 4, line 46).

## *Response to Arguments*

Applicant's arguments filed 09/24/04 have been fully considered but they are not

persuasive. Additionally, Applicant's arguments with respect to the claims have been

considered but are moot in view of the new ground(s) of rejection.

Regarding the provisional double patenting rejection of the claims over Parupudi

et al. (U.S. Pat. App. Pub. 2002/0120370) and Parupudi et al. (U.S. Pat. App. Pub.

202/0122055), Applicant's amendment of the claims has sufficiently altered the scope of

the claims to overcome the rejections. The rejections have been withdrawn.

Regarding claim 28 rejected under 35 U.S.C. 112(2), Examiner accepts

Applicant's amendment for overcoming this rejection. The rejection has been

withdrawn.

Regarding previous claim rejections under 35 U.S.C. 102(e) and 103(a) in view

of Olarig et al. (U.S. Pat. No. 6,125,446) and Wax et al. (U.S. Pat. No. 6,104,344),

Applicant generally asserts that the references do not teach the newly amended

limitations of providing a traversable tree structure comprised of individual nodes

associated with a context/location and comprising an entity identification unique to the

node. Applicant's arguments with respect to these limitations are considered moot in

view of the new grounds of rejections under 35 U.S.C. 103(a) above. Examiner submits

that the limitations as claimed are suggested by the prior art as described above.

Regarding claims 73, 76-78, and 82, Applicant further asserts that Olarig does

not disclose a device configured to collect polices from multiple different policy sources

to provide a collection of policies. Examiner disagrees. As stated in the above

rejection, Olarig implicitly disclosed a device configured to receive policies from different

sources as claimed. The device disclosed by Olarig enforced country-specific policies/laws (see column 6, lines 25-34). Olarig recognized that such laws had an effect on the implementation of the invention (see column 7, lines 8-10). Furthermore, Olarig disclosed the use of additional software to address accuracy limitations of GPS when country borders were in question (see column 7, lines 11-20). For a device to successfully enforce such varied country-specific laws would necessitate the support of all laws by the device. The ability to receive different policies from different sources then was inherent in the invention of Olarig, as it would have been a necessary limitation in order to accommodate the wide range of country-specific policies/laws for enforcement.

Regarding claims 88 and 90, Applicant further asserts that the references do not suggest using tree structures where each node represents a location that can be either a physical or logical location. Applicant's arguments with respect to these limitations are considered moot in view of the new grounds of rejection. Additionally, Examiner submits that this broad concept is clearly taught in the references where Lampert disclosed each node in the tree structure to represent a physical feature in a geographic region or divisions of the geographic region (see column 2, lines 43-64).

## Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a).  Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph R Maniwang whose telephone number is (571)

272-3928.  The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William A Cuchlinski can be reached on (571) 272-3925.  The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).


JM

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